

525 Rec'd PTO 20 OCT 2000  
09/673814

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UNITED STATES RECEIVING OFFICE (RO/US)

In re Application of: Michael Kretzschmar  
U.S. Nat'l Stage of PCT/EP99/02269  
Int'l App. No.:  
Int'l Filing Date: 1 April 1999  
For: COMPRESSED MEDIUM OPERATED  
NIPPERS

Box PCT  
ATTN: EO/US  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Docket No.: H01.2-9509

**TRANSMITTAL LETTER**

1. In regard to the above-identified application, we are submitting the attached:  
**PTO Form 1390 for filing; English translation of appln; Translation of amended claims under Article 34, Power of Atty, Con. Petition; Correspondence Address notice; IDS with references; ; Preliminary Amendment; Verified Statement Claiming Small Entity; VAS Transmittal Letter; and Postcard.**
2. With respect to fees:  
 No additional fee is required.  
 Attached is check(s) in the amount of \$ 57.50.  
 Charge additional fee to our Deposit Account No. 22-0350.

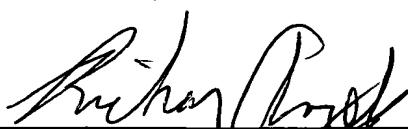
**CONDITIONAL PETITION AND FEE FOR EXTENSION OF TIME**

3. This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time. If any extension of time for the accompanying response is required, Applicant requests that this be considered a petition therefor.
4. Please charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 22-0350.

VIDAS, ARRETT & STEINKRAUS

Date: 10/20/2000

By:



RICHARD A. ARRETT, ESQ.  
Registration No. 33,153

6109 Blue Circle Drive, Suite 2000  
Minnetonka, MN 55343-9131  
Telephone: (612) 563-3000  
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Certificate Under 37 CFR 1.10: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as EXPRESS MAIL, Label No. EL66 8460718 addressed to Box PCT, Commissioner for Patents, Washington D.C. 20231, on



Julie Emerson

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|--|--|--|
| FORM PTO-1390 (REV 10-94)<br><b>TRANSMITTAL LETTER TO THE UNITED STATES</b><br><b>DESIGNATED/ELECTED OFFICE (DO/EO/US)</b><br><b>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |  | U.S. Dept. of Commerce and Patent and Trademark Office<br><br>ATTORNEY'S DOCKET NUMBER:<br><b>H01.2-9509</b> |
|  |  | U.S. APPLICATION NO. (If known):<br><b>09/673814</b>   |
| INTERNATIONAL APPLICATION NO.:<br><b>PCT/EP99/02269</b>  | INTERNATIONAL FILING DATE<br>(dd/mm/yy): <b>1 April 1999</b> | PRIORITY DATE CLAIMED (dd/mm/yy):<br><b>22 April 1998</b>  |
| <b>TITLE OF INVENTION:</b><br><b>COMPRESSED MEDIUM OPERATED NIPPERS</b>  |  |  |
| <b>APPLICANT(S) FOR DO/EO/US:</b><br><b>Michael Kretzschmar</b>  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |  |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371 (c)(2)).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |  |  |
| <b>Items 11. to 16. below concern other document(s) or information included:</b>   |  |  |
| <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.29 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment. Please enter the amendment before fee calculation.<br/> <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>16. <input checked="" type="checkbox"/> Other items or information: Translation of Amended Claims Under Article 34; Power of Attorney; Construction Petition; Correspondence Address document; Verified Statement Claiming Small Entity</li> </ol>  |  |  |

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|--|---|--------------|--|------------------------|--------------|
| 17. <input checked="" type="checkbox"/> The following fees are submitted:  |   |              |  | CALCULATIONS           | PTO USE ONLY |
| <b>BASIC NATIONAL FEE (37 CFR 1.492(A)(1)-(5)):</b><br><i>(select the appropriate one of the following fees)</i><br>Search Report has been prepared by the EPO or JPO ..... \$ 930.00<br>International preliminary examination fee paid to<br>USPTO (37 CFR 1.482) ..... \$ 490.00<br>No international preliminary examination fee paid to USPTO<br>(37 CFR 1.482) but international search fee paid to<br>USPTO (37 CFR 1.445(a)(2)) ..... \$ 750.00<br>Neither international preliminary examination fee (37 CFR<br>1.482) nor international search fee (37 CFR<br>1.445(a)(2)) paid to USPTO ..... \$ 1,070.00<br>International preliminary examination fee paid to USPTO<br>(37 CFR 1.482) and all claims satisfied provisions<br>of PCT Articles 33(2)-33(4) ..... \$ 98.00 |   |              |  | \$930.00               |              |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>  |   |              |  |                        |              |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).  |   |              |  | \$                     |              |
| CLAIMS   | NUMBER FILED  | NUMBER EXTRA | RATE   |                        |              |
| Total Claims   | 30- 20 =  | 10           | x \$ 22.00   | \$220.00               |              |
| Independent Claims   | 1 - 3 =   | 0            | x \$ 82.00   | \$                     |              |
| Multiple Dependent Claims (if applicable)  |   |              |  | + \$ 270.00            | \$           |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |   |              |  | \$1150.00              |              |
| Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must be filed also. (Note 37 CFR 1.9, 1.27, 1.28).   |   |              |  | \$597.00               |              |
| <b>SUBTOTAL =</b>  |   |              |  | \$575.00               |              |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |   |              |  | \$                     |              |
| <b>TOTAL NATIONAL FEE =</b>  |   |              |  | \$                     |              |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |   |              |  | \$                     |              |
| <b>TOTAL FEES ENCLOSED =</b>   |   |              |  | \$575.00               |              |
|  |   |              |  | Amount to be: Refunded | \$           |
|  |   |              |  | Charged                | \$           |
| <i>575.00</i>  |   |              |  |                        |              |
| a. <input checked="" type="checkbox"/>   | A check in the amount of \$ <del>637.00</del> to cover the above fees is enclosed.  |              |  |                        |              |
| b. <input type="checkbox"/>  | Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees is enclosed. A duplicate copy of this sheet is enclosed. |              |  |                        |              |
| c. <input checked="" type="checkbox"/>   | The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 22-0350.  |              |  |                        |              |
| Send All Correspondence To:<br>Vidas, Arrett & Steinkraus, P.A.<br>Suite 2000<br>6109 Blue Circle Drive<br>Minnetonka, MN 55343-9131<br>Telephone: (952) 563-3000<br>Facsimile: (952) 563-3001   |   |              | By: <br>RICHARD A. ARRETT, ESQ.<br>Registration No. 33,153 |                        |              |